

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GATSBY FRIMPONG, :
: Plaintiff, :
: v. : Case No. 22-cv-10487 (GHW)(RWL)
:
EVERYREALM INC., REPUBLIC COMPOUD :
LLC, d/b/a REPUBLIC REAL ESTATE, REPUBLIC :
OPERATIONS LLC, d/b/a REPUBLIC, OPENDEAL :
INC., d/b/a REPUBLIC, OPENDEAL PORTAL LLC, :
d/b/a REPUBLIC, JESSE YORIO, in his individual :
and professional capacities, and JANINE YORIO, in :
her individual and professional capacities, :
: Defendants. :
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**DECLARATION OF
JANINE YORIO**

Janine Yorio, having personal knowledge of the facts herein, and under penalty of perjury, hereby states:

1. I currently serve as the Chief Executive Officer of Everyrealm Inc., and am a resident of the State of New York. I submit this Declaration based upon my personal knowledge and in support of the Motion to Compel Arbitration on behalf of Everyrealm Inc. (“Everyrealm”), Jesse Yorio, and myself (collectively “the Everyrealm Defendants”) in the above-captioned matter.

2. Jesse Yorio and I were married on March 28, 2009, and are currently married as of the date of this Declaration.

3. Everyrealm employed Frimpong as a Director of Product for approximately four months, from November 1, 2021 through March 4, 2022 – when he voluntarily resigned for personal reasons.

4. I remotely interviewed Frimpong twice prior to his hire.

5. Due to the time difference between New York City and London, England, each meeting between myself and Frimpong was entered on our respective Everyrealm calendars.

6. I have never met Frimpong in person.

7. In his role as a Director of Product, Frimpong was primarily responsible for product management of Everyrealm's metaverse lobby ("the Lobby").

8. In the course of working on the Lobby, Frimpong received multiple reviews from trained software engineers stating that the technology Frimpong chose to implement on the project was inadequate for the long-term scale and scope of the project, causing Everyrealm to question his experience.

9. The Company's concern with his pace of work and choice of technology prompted Everyrealm to add another product manager to the Lobby to improve lines of communication.

10. During this project, Frimpong missed multiple milestones and regularly failed to timely forecast that such milestones would be missed.

11. Everyrealm, led by former human resources director Katherine Yost, performed a mid-employment background check on Frimpong and all other Everyrealm employees in February 2022.

12. A true and correct copy of Katherine Yost's announcement regarding the February 2022 background checks is attached hereto as Exhibit A.

13. On March 1, 2022, during a scheduled meeting between myself and Frimpong, Frimpong announced his intention to resign from his employment with Everyrealm.

14. Frimpong stated that he needed to resign because his father had recently passed away and had omitted Frimpong and his half-sibling from his will, thus Frimpong was devoting a significant amount of time fighting for their inheritance.

15. A true and correct copy of the calendar entry on Frimpong's calendar, which reflects the meeting in which Frimpong gave notice of his resignation as well as his "offboarding" with Katherine Yost, is attached hereto as Exhibit B.

16. At no point during our March 1 meeting, or at any other time, did Frimpong express displeasure with his Everyrealm employment.

17. After our March 1 meeting, I had no further communications with Frimpong.

18. A true and correct copy of my phone records for the period of February through March 7, 2022 is attached hereto as Exhibit C.

19. I never communicated with Frimpong via cell phone, text message, Whatsapp, Facetime, Telegram, Signal, Google Meet or Zoom.

20. A true and correct copy of all email correspondence, calendared Google Hangouts, and the last Slack message between myself and Frimpong is attached hereto as Exhibit D.

21. Following my March 1 meeting with Frimpong wherein he gave notice of his intent to resign, Frimpong sent a message via Everyrealm's Slack messenger channel to an Everyrealm contractor, stating, "ok, so I have finally quit...so they know now. I will start creating some transition docs for them tomorrow to make the move smooth."

22. A true and correct copy of the above described messaged is attached hereto as Exhibit E.

Pursuant to 28 U.S.C. § 1746, I declare under the penalty of perjury the foregoing is true and correct.

Dated: 02 / 08 / 2023



Janine Yorio